

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

U.S. BANK NATIONAL ASSOCIATION,)	
)	
Plaintiff,)	Case No. 12-cv-5598
)	
v.)	Judge Hon. Milton I. Shadur
)	
CAPITAL REALTY & DEVELOPMENT)	Magistrate Judge Hon. Jeffery Cole
LLC and RICHARD P. TURASKY, JR.,)	
)	
Defendants.)	

**U.S. BANK NATIONAL ASSOCIATION’S AMENDED
MOTION FOR ENTRY OF RULE TO SHOW CAUSE ORDER**

Plaintiff, U.S. Bank National Association (“U.S. Bank”), by Vincent T. Borst, Catherine A. Cooke and Robbins, Salomon & Patt, Ltd., its attorneys, for its *Amended* Motion for Entry of a Rule to Show Cause Order against Defendants/Judgment Debtors Capital Realty & Development, LLC (“Capital Realty”) and Richard P. Turasky, Jr. (“Turasky”) (collectively, “Judgment Debtors”), states as follows:

1. On January 14, 2014, U.S. Bank filed its Motion for Entry of a Rule to Show Cause Order against Judgment Debtors [Doc. No. 98] (the “Rule to Show Cause Motion”), a copy of which is attached hereto as Exhibit 1 and incorporated herein.

2. Despite acceptance of the Citation to Discover Assets over ten (10) months ago on July 2, 2013, since the filing of the Rule to Show Cause Motion, Judgment Debtors have not produced *any* additional documents identified as missing from their document production.

3. As a result of the Judgment Debtors continued non-compliance with the Citation Order and failure to produce all documents requested therein, U.S. Bank cannot fully inform itself of Judgment Debtors’ assets and liabilities and has been unable to conduct an oral examination of Turasky as authorized by the Citation.

4. Accordingly, U.S. Bank renews its request for this Court to enter an Order for Rule to Show Cause as to why Capital Realty and Turasky should not be held in contempt for failure to abide by the terms of the Citation Order.

WHEREFORE, for the foregoing reasons and those set forth in U.S. Bank's Motion for Entry of a Rule to Show Cause Order against Judgment Debtors [Doc. No. 98], U.S. Bank respectfully requests that this Court enter the following relief:

- a. Enter an order for Rule to Show Cause against Capital Realty and Turasky as to why they should not be held in contempt of Court for failure to fully comply with the Court's Citation to Discover Assets Order;
- b. Enter an order compelling full production of all documents requested in the Citation to Discover Assets within seven (7) days of presentment of the instant Motion;
- c. Enter an order awarding U.S. Bank its attorneys' fees and costs incurred in bringing the instant Motion; and
- d. For any other appropriate relief as this Court deems just.

U.S. BANK NATIONAL ASSOCIATION

By: /s/ Vincent T. Borst
One of Its Attorneys

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CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that he served a true copy of the above **U.S. BANK NATIONAL ASSOCIATION'S AMENDED MOTION FOR ENTRY OF RULE TO SHOW CAUSE ORDER** upon the parties listed below, via electronically filing same with the Clerk of the Court using the CM/ECF system, on May 16, 2014, which will send a copy of said filing to all counsel of record.

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By: /s/ Vincent T. Borst